

**For The Middle District Of Pennsylvania**

**Walter K. Parfaite**  
**"Pro-se Plaintiff"**

**Civil Action No. 1: 22-CV-0316**

**V.**

**FILED**  
**SCRANTON**

**Kim Lippincott**  
**"defendant"**

**AUG 01 2022**

**(Judge Schwab)**

PER   
**DEPUTY CLERK**

**Motion To Disqualify Defense Counsel**

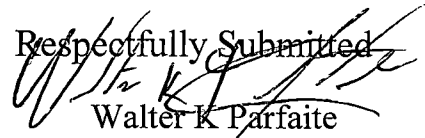
Now, by way of motion Pro-se plaintiff Walter K. Parfaite, requests that defense attorney Gerard J. Geiger be disqualified do to ethics violation, breach of the code of professional responsibility "canons", and the professional code of conduct;

**Facts to support :**

1. During the month of June, defense attorney Gerard J. Geiger spoke to a non-partie person (Colleen Orzel) about this civil matter.
2. Attorney Geiger provided legal advice to the non-partie person (Colleen Orzel) in regard to a subpoena that was served on her, by the plaintiff in this matter Walter K. Parfaite by way of certified mail that was illegally removed from the prisons mail system, discarded and never answered do to attorney Geiger's statements and advice.
3. Attorney Geiger spoke to non-parties person (Colleen Orzel) about legal matters without consent from her attorney.
4. On July 23, 2022, plaintiff Walter K. Parfaite spoke with Colleen Orzel who is the deputy warden at Lackawanna County Prison, in person, about the missing certified mail and her interactions with defense attorney Geiger in regard to the subpoena.
5. Attorney Geiger told the non-partie subpoena target (Orzel) via email that she did not have to comply with the subpoena because he was having it quashed.
6. The defendant Kim Lippincott and her attorney Gerard J Geiger are having this civil matter used against me in my criminal matter.
7. Attorney Geiger's actions were deceptive and unprofessional and the plaintiff can not be

8. Attorney Geiger's actions deprived the plaintiff Walter K. Parfaite access to, persons, information, and documents from the non-party person (Orzel).
9. Attorney Geiger did not follow procedure to have the subpoena quashed and provided this false information to deceive the non-party person into not answering the subpoena..
10. Attorney Geiger is allowing his client Kim Lippincott to use her position and friendship with the prosecutor in the plaintiff Walter K. Parfaite's criminal case as leverage/blackmail to make the plaintiff Walter K. Parfaite withdraw this civil matter.
11. **Rule 7.1.- Communications Concerning a Lawyer'S Services-** states; lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading.
12. **Rule 1.2.- Scope of Representation and Allocation of Authority Between Client and Lawyer-**states; A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law. Orezl was not his client.
13. **Rule 1.6.- Confidentiality of Information-**states; A lawyer shall not reveal information relating to representation of a client unless the client gives informed consent, except for disclosures that are impliedly authorized in order to carry out the representation, no cosent was given.
14. Attorney Geiger spoke with Colleen Orzel without her attorney being with her.

Therefor, with the above stated facts to address the actions of defense counsel Gerard J. Geiger and the violations that have acured and are highly likely to acure again if this motion is not granted by this honorable court, the denial of this motion could lead to further deprivation and violations in this civil matter.

Respectfully Submitted  
  
Walter K Parfaite  
"Pro-se Plaintiff"

Name: WALTER V. PARFAIT  
Lackawanna County Prison  
1371 N Washington Avenue  
Scranton, PA 18509-2840

LEHIGH  
VALLEY

LEHIGH VALLEY PA 180  
CONTENTS MAILED FROM  
CORRECTIONAL FACILITY

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AUG 01 2022



PER Q/M  
DEPUTY CLERK

CLERK OF COURT  
335 N WASHINGTON AVE  
SCRANTON, PA 18501

18501-500199

